

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker; Cassie Richardson

SUBJECT: Map Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits
DATE: Thursday, November 16, 2023
TIME: 7:00 p.m. (Doors will open at 6:30)
PLACE: **JEFFERSON COUNTY COURTHOUSE, ROOM C2063**
311 S. CENTER AVE, JEFFERSON, WI 53549
OR Via Zoom Videoconference

PETITIONERS OR MEMBERS OF THE PUBLIC MAY ATTEND THE MEETING VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS IF THEY CHOOSE NOT TO ATTEND IN PERSON:

You are invited to a Zoom meeting.

When: November 16, 2023, at 07:00 PM Central Time (US and Canada)

Meeting ID: 957 3344 0565

Passcode: Zoning

Register in advance for this meeting:

<https://zoom.us/j/95733440565?pwd=eHZRbHZXWXhlUnlkdkhtOXhoTmtNz09>

After registering, you will receive a confirmation email containing information about joining the meeting.

1. Call to Order

The meeting was called to order by Chairman Jaeckel at 7pm.

2. Roll Call

All members of the Committee were present at 7pm. Also present were Sarah Elsner and Brett Scherer from the Zoning Department. Attending via Zoom was Steve Peesel.

3. Certification of Compliance with Open Meetings Law

Supervisor Poulson verified that the meeting was being held in compliance with Open Meetings Law.

4. Approval of Agenda

Motion by Supervisors Poulson/Foelker to approve the agenda. Motion passed 5-0.

5. Explanation of Public Hearing Process by Committee Chair

Chairman Jaeckel explained the process.

6. Public Hearing

Scherer read aloud the following:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday November 16, 2023, in Room C2063 of the Jefferson County Courthouse, Jefferson, Wisconsin. Members of the public will be allowed to be heard regarding any petition under consideration by the Planning and Zoning Committee. **PETITIONERS, OR THEIR REPRESENTATIVES SHALL BE PRESENT EITHER IN PERSON OR VIA ZOOM.** Matters to be heard are petitions to amend the official zoning map and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. Individual files, which include staff finding of fact, are available for viewing between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, excepting holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131. **DECISIONS ON THE CONDITIONAL USES ONLY WILL BE MADE ON NOVEMBER 27, 2023.**
DECISIONS ON THE REZONINGS WILL BE MADE ON DECEMBER 12, 2023.

FROM A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND RURAL BUSINESS

R4498A-23 & CU2110-23 – Jon Gehler/Ebenezer Moravian Church: Rezone all of PIN 032-0815-2911-006 (8.59 ac) and 032-0815-2911-007 (3.83 ac) with conditional use to sanction and expand a cemetery at **N8023 Ebenezer Rd**, Town of Watertown. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Jon Gehler (103 Cornelius St, Watertown, WI) presented himself as the petitioner for this rezone. Gehler explained the request for expansion of the cemetery for conventional burials and place to shed ashes. The parcels would be combined to be 1 property. There is also a 24'x24' shed being proposed for cold storage of equipment for maintenance of grounds. There will also be a flagpole with a light and a new driveway to the north.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. Scherer asked for more information regarding the unverified drain tile. Gehler explained that tile in the field was installed in 2019 and installed in field to the north. New burial sites would start from east to west. There is uncertainty of what will happen to the tile in the future.

TOWN: In favor.

FROM AGRICULTURAL A-1 TO A-3, AGRICULTURAL/RURAL RESIDENTIAL

R4499A-23 – Kurt Wileman /Dane County Growers Property: Create a 5-ac lot around the home and buildings at **N956 Bingham Rd**, Town of Sumner, from PIN 028-0513-1933-000 (43.694 ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Dan Higgs of Combs Surveying (109 W River St, Janesville, WI) spoke on behalf of the petitioners for this rezone. Higgs explained the request to separate the buildings from the farmland. The request started out for 3.6-ac but increased to 5 to allow for any future additions to the home.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Chairman Jaeckel asked what year the house was built. Combs confirmed the home is a pre-1975 home.

STAFF: Given by Scherer and in the file. Scherer asked for the location of the septic and if all buildings would meet the required 20' setback from side and rear lot lines. The location of the septic on the property has not been confirmed and all buildings will meet the required setbacks.

TOWN: In favor.

FROM A-1 TO A-3, AGRICULTURAL AND RURAL RESIDENTIAL

R4500A-23 – Kevin Emrath: Create a 1.7437-ac lot at **N6132 Switzke Rd** in the Town of Farmington from part of PINs 008-0715-1633-000 (36.1 ac) and all of PIN 008-0715-1633-001 (0.82 ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Kevin Emrath (N6297 County Road P, Helenville, WI) presented himself as the petitioner for this rezone. Emrath explained the request for a split of a 1.7-ac farm consolidation to include all buildings on the property.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. Scherer asked what year the house was built and where the septic is located on the property. The house was constructed in 1971 and the septic is located on the northeast side of the house.

TOWN: In favor.

R4501A-23 – William & Laura Flood: Create two 4-ac lots from PIN 026-0616-0134-000 (35.086 ac) near **N4579 Indian Point Rd** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Bill Flood (N4615 Indian Point Rd, Sullivan, WI) presented himself as the petitioner for this rezone. Flood explained the request to break off 2, 4-ac parcels for his sons to build homes.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Randy Hershberg (N4492 Highland Dr, Sullivan, WI) spoke in opposition of the rezone with concerns regarding the dead-end road and issues with the snowplow. It was also asked what would happen with the remnant A-1 land and questions for if a cul-de-sac should be created.

REBUTTAL: Flood explained that the proposed lots will not change or modify the dead-end. Flood also referenced a previous split for the property to the north which allowed for 3 lots to be created and the remnant A-1 lot was attached to one of the A-3 lots.

QUESTIONS FROM COMMITTEE: Supervisor Nass why the request was for 4-acre lots. Flood explained the request for 4-acre lots was to allow for horses/livestock and pasture area on the lots. Proposed lot 1 also has a large hill in the back which limits the area for livestock. Andrew Flood also referenced code and explanation of the request for farm consolidation.

STAFF: Given by Scherer and in the file. It was noted that the home on the north lot was built in 1847.

TOWN: In favor.

R4502A-23 – Daniel & Gwynn Novak: Rezone all of PIN 026-0616-2643-002 (0.602 ac) and part of PIN 026-0616-2643-000 (38.898 ac) owned by the Novak Trusts to create a 1-ac lot at **W660 Rome Oak Hill Rd** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Daniel Novak (W660 Rome Oak Hill Rd, Palmyra, WI) presented himself as the petitioner for this rezone. Novak explained the request to bring the present lot up to code of 1-ac.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. Scherer asked what year the house was built and where the septic is located on the property. The house was built in 1974 and the septic is within the proposed 1-ac area of the lot.

TOWN: In favor.

R4503A-23 – Robert & Dorothy Novak: Rezone all of PIN 026-0616-2643-001 (0.5 ac) and part of PIN 026-0616-2643-000 (38.898 ac) to create a 1-ac lot at **W604 Rome Oak Hill Rd** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Robert Novak (W604 Rome Oak Hill Rd, Palmyra, WI) presented himself as the petitioner for this rezone. Novak explained the request to bring the lot up to code to sell.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. Scherer asked what year the house was built and where the septic is located on the property. The house was built in 1962 and the septic is within the proposed 1-ac area of the lot. The lot was configured for all buildings to meet setbacks.

TOWN: In favor.

R4504A-23 – Jonathan Boche: Create a 1.1-ac building site from part of PIN 012-0816-0323-001 (39.22 ac) on **County Rd CW** in the Town of Ixonia. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Jon Boche (W1201 County Road CW, Watertown, WI) presented himself as the petitioner for this rezone. Boche explained the request to split off the lot to sell it.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file.

TOWN: In favor.

FROM A-1 TO N, NATURAL RESOURCES

R4505A-23 – Jonathan Boche: Rezone 3.9 ac of PIN 012-0816-0323-001 (39.22 ac) to create a Natural Resource zone on **County Rd CW**, Town of Ixonia. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Jon Boche (W1201 County Road CW, Watertown, WI) presented himself as the petitioner for this rezone. Boche explained the request to add more of a buffer to the proposed building site.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Chairman Jaeckel asked if this would be sold with the proposed A-3 lot, and it was confirmed that it will.

STAFF: Given by Scherer and in the file.

TOWN: In favor.

CONDITIONAL USE PERMIT APPLICATIONS

CU2111-23 – Michael & Sandy Janke/Shady Belle Acres LLC: Conditional use for a dog kennel at **N4907 Coffee Rd**, Town of Farmington on PIN 008-0715-3344-000 (37 ac). The property is in an A-1, Agricultural zone; this is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance.

PETITIONER: Sandy Janke (N4907 Coffee Rd, Helenville, WI) presented herself as the petitioner for this conditional use. Janke explained the request to allow for a rescue service for dogs.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Supervisor Nass asked for clarification on the max number of dogs. Janke clarified the maximum would be 12 dogs.

STAFF: Given by Scherer and in the file. The use will be personal and not for business purposes. There are no new proposed structures, there is a fenced in area, manure will be spread with livestock waste and there will be mixed breeds of dogs.

TOWN: In favor.

CU2112-23 – Joseph Kondroski: Conditional use for storage of landscaping equipment in a Community zone at **W1232 Marietta Ave** on PIN 012-0816-2232-013 (1.5 ac) in the Town of Ixonia. This is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

PETITIONER: Casey Ehler (W1124 Marietta Ave, Ixonia, WI) spoke on behalf of the petitioner for this rezone. The tenant for this property is a landscaper who would like to use the lot for storage of equipment for his business.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. The proposal is for 2 trucks and employee parking for outdoor storage. There are 6 employees who will be at the property at various times throughout the day. There will be no lighting or signs, and no new structures or land modifications are being proposed.

TOWN: In favor with condition that trees are planted around the property for screening.

7. Adjourn

Supervisor Poulson moved to adjourn at 7:39 and was seconded by Supervisor Nass. Motion passed 5-0 on a voice vote.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at this meeting should contact the County Administrator 24 hours prior to the meeting at 920-674-7101 so appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.